

Notice of Allowability

Application No.

10/604,956

Examiner

Courtney Thomas

Applicant(s)

DONG ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Continued Examination filed 09/21/05.
2. ☒ The allowed claim(s) is/are 1-9, 12-14, 17-21, 24, 25, 27-29 and 32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09.21.05 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Patrick Bergen (54,994) on Tuesday, September 27, 2005.

The application has been amended as follows:

In claim 4, line 2, "the number" has been replaced by --a number--

In claim 9, line 2, "the two" has been replaced by --two--

In claim 17, line 2, "the number" has been replaced by --a number--

In claim 17, line 2, "corrected 106" has been replaced by --corrected.--

In claim 18, line 2, "the operator" has been replaced by --an operator--

In claim 18, line 2, "the actual number" has been replaced by --the number--

In claim 18, lines 2-3, "the maximum" has been replaced by --a maximum--

Art Unit: 2882

In claim 19, line 2, "the history" has been replaced by --a history--

In claim 20, line 2, "the need" has been replaced by --a need--

In claim 21, line 2, "the two" has been replaced by --two--

In claim 25, line 11, "the number" has been replaced by --a number--

In claim 25, line 12, "the operator" has been replaced by --an operator--

In claim 25, line 12, "the maximum" has been replaced by --a maximum--

In claim 27, line 2, "the history" has been replaced by --a history--

In claim 28, line 2, "the need" has been replaced by --a need--

In claim 29, line 2, "the two" has been replaced by --two--

Allowable Subject Matter

3. Claims 1-9, 12-14, 17-21, 24, 25, 27-29 and 32 are allowed.

4. The following is an examiner's statement of reasons for allowance:

5. **As per claims 1, 13 and 25 and dependent claims 2-9, 12, 14, 17-21, 24, 27-29 and 32,** the examiner found no reference in the prior art that disclosed or made obvious a method for detecting and correcting tube spit (and corresponding processor) comprising the steps of: providing a computer, being in electrical communication with a CT generator and configured to detect fluctuations in generator output voltage; monitoring generator output voltage; detecting any drops in generator output voltage; determining whether a tube-spit event occurred and if a tube spit event occurred, performing tube-spit correction, as recited in independent claims 1, 13 and 25.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2882

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney Thomas whose telephone number is (571) 272-2496. The examiner can normally be reached on M - F (9 am - 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272 2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Courtney Thomas *CT*
Examiner
Art Unit 2882


EDWARD J. GLICK
SUPERVISOR, PATENT EXAMINING